

REMARKS

Claims 1-20 are all the claims pending in the application, including new claims 12-20 added by the present Amendment.

Claims 1-11 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Funahashi et al. (US 4,994,662) in view of Takeo (US 5,796,870). Applicant respectfully traverses the rejections with the following comments.

The present invention relates to an image sending apparatus for sending an image input from an external apparatus to a predetermined addressee. FIG. 1 shows an illustrative embodiment of the image sending apparatus 1, which includes a storage means 2, a display means 3, a transmission means 4, a control means 5, an instruction input means 6 and an external apparatus 10. The external apparatus includes reading apparatuses 11a-11c and accompanying information input apparatuses 12a-12c.

Funahashi et al. relates to a radiation image read-out apparatus in which a correct mean value operating region is designated even if an object image was recorded at a position different from an intended position on a recording medium. FIG. 4 shows an embodiment of the radiation image read-out apparatus. In FIG. 4, a stimuable phosphor sheet 20, on which a radiation image has been stored, is placed at a predetermined position in a preliminary read-out means 40. The preliminary read-out means 40 carries out a preliminary readout by scanning the stimuable phosphor sheet 20 with a light beam having a low energy level, thereby releasing only part of the stored energy from the stimuable phosphor sheet 20.

Takeo relates to a method and apparatus for compressing a dynamic range of an image, with which an original image signal representing an original image is processed, and a processed

image signal representing an image having a narrower dynamic range than the original image is thereby generated.

Applicant submits that Funahashi et al. and Takeo do not teach or suggest all of the limitations of the claims of the present invention. As noted above, the applied references relate to radiation image read-out and compressing dynamic ranges of images, respectively. However, the applied references do not relate to an image sending apparatus for sending an image input from an external apparatus to a predetermined addressee, i.e., exemplary embodiments of the present invention.

In this regard, Applicant submits that the prior art fails to disclose transmission means for sending the image. The Examiner contends that Funahashi et al. disclose this feature of claim 1 at col. 6, lines 17-24. However, this portion of the reference discusses the radiation image read-out apparatus, in which a stimuable phosphor sheet having a radiation image stored thereon is exposed to stimulating rays. See col. 6, lines 25-35. The radiation image read-out apparatus obtains a preliminary read-out image signal, which approximately represents the radiation image. In other words, Funahashi et al. disclose a radiation image read-out apparatus from which images can be read. By contrast, Funahashi et al. do not disclose a transmission means for sending the image, which, as recited in the preamble of the claim, is sent to a predetermined addressee. Likewise, Takeo fails to disclose the claimed transmission means. Therefore, claim 1 is allowable over the prior art.

With respect to the Examiner's assertion that Funahashi et al. disclose unnecessary image designating means for enabling designation of the image displayed on the display means as an unnecessary image, Applicant requests the Examiner to clarify the rejection. In particular, it is

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/686,371

not clear to what the Examiner is referring as allegedly corresponding to the unnecessary image designating means. In particular, the Examiner refers to col. 14, lines 20-35, and contends that the operator can view the image display on the CRT display device and judge whether or not the image was stored on the stimulable phosphor sheet. However, it is not clear whether the Examiner is referring to the operator as being the unnecessary image designating means or whether the Examiner is referring to a portion of the device of Funahashi et al. Applicant submits that if the Examiner is referring to the operator as the unnecessary image designating means, that the rejection is improper, because a person cannot be part of an apparatus. Based on the Examiner's interpretation of the cited portion of the reference, it appears that the Examiner is asserting that the operator corresponds to the unnecessary image designating means, since the Examiner refers to the judging performed by the operator. Therefore, claim 1 is allowable over the prior art for this additional reason.

Additionally, the prior art fails to teach or suggest the transmission control means for controlling the transmission means so as not to send the image having been designated as the unnecessary image. The Examiner concedes that Funahashi et al. do not disclose this feature of the claims. However, the Examiner cites Takeo as allegedly disclosing this feature. Applicant submits that, contrary to the Examiner's assertion, Takeo does not disclose the claimed transmission control means. The Examiner refers to col. 19, lines 48-57. However, instead of describing controlling the transmission means so as not to send the image having been designated as the unnecessary image, the cited excerpt of Takeo describes an image portion representing an unnecessary tissue or noise in the image. In other words, the reference refers to unnecessary noise in an image, rather than an unnecessary image. Furthermore, the Takeo

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/686,371

excerpt does not describe controlling the transmission means. Hence, claim 1 is allowable over the prior art for this additional reason.

Also, claims 2-5 are allowable over the prior art, at least because of their dependence from claim 1.

Regarding claims 6-11, the prior art fails to teach or suggest all of the limitations in the claims. In particular, Funahashi et al. and Takeo fail to disclose all of the limitations of claim 6. Specifically, the references do not disclose the claimed image list display control means for the displaying an image list on the screen. The Examiner refers to col. 16, lines 36-52, and col. 11, lines 2-35 of Funahashi et al., with regard to this feature of the claim. In spite of this assertion, Funahashi et al. do not disclose the claimed image list display control means. The excerpt from col. 16 describes the operation of an MOS sensor 85, which is positioned below the X-ray film 80 so that the MOS sensor 85 can receive the reading light 83 which has passed through the X-ray film 80. The operation of the MOS sensor 85 and its description in the reference indicate nothing about an image list display control means. Moreover, the reference does not even describe an image list or displaying an image list on a screen. Thus, claim 6 is allowable over the prior art for at least this reason.

Furthermore, Funahashi et al. do not teach or suggest the transmission completion detection means for outputting a transmission completion signal by detecting normal completion of transmission of the medical image to all the addressees. Also, Funahashi et al. do not teach or suggest the claimed transmission completion display control means of claim 6. The Examiner refers to col. 13, line 58 and col. 12, lines, 48-56, and col. 6, lines 17-24, as allegedly disclosing the above-identified features of claim 6. Nevertheless, the portions of the reference cited by the

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/686,371

Examiner simply do not teach the features of claim 6. None of the cited portions of the reference disclose outputting a transmission completion signal or detecting normal completion of transmission of the medical image to all the addressee or a displaying a transmission status indicating a normal completion of the transmission of the medical image. The cited excerpt of Funahashi et al. refers to a preliminary read-out image and final read-out, but the excerpts of Funahashi et al. do not disclose or suggest the claimed limitations of claim 6. Therefore, claim 6 is allowable over the prior art for this additional reason.

For reasons analogous to those presented above in relation to claim 6, Applicant submits that claims 7 and 8 are allowable over the prior art.

Additionally, claims 9-11 are allowable over the prior art, at least because of there dependence from claims 6-8.

New claims 12-20 are added to more fully define the present invention and are believed to be allowable over the prior art, at least because of their dependence from claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/686,371

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Cameron W. Beddard
Registration No. 46,545

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 3, 2003